

RESOLUTION NO. ~~6693~~ _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING
RESOLUTION NO. ~~6449~~ 6693, A COMPREHENSIVE FEE SCHEDULE**

WHEREAS, the Municipal Code specifies that certain fees and charges shall be fixed by Resolution of the City Council; and

WHEREAS, these fees and charges should be in amounts sufficient to recover the costs incurred by the City in the amount specified through Council policy direction with respect to the functions to be performed by the City; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milpitas that the various fees and charges set forth in the attached Exhibit A, and in accordance with Ordinance No. 164.2 shall become effective ~~November 2, 1997~~, _____, and shall remain in effect until a new Resolution amending the same is adopted by the City Council.

BE IT FURTHER RESOLVED that the fees and charges established by this resolution shall supersede all previously established fees or charges for the same regulation, product or service, and all such previous fees and charges are repealed on the effective date of the Resolution of the City Council. All other fees shall remain in effect.

This Resolution shall take effect sixty (60) days following its adoption.

PASSED AND ADOPTED this ~~2nd~~ _____ day of ~~September~~, ~~1997~~ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

City Clerk

Mayor

EXHIBIT A

Planning and Zoning Application Fee Structure Pursuant to Milpitas Municipal Code IV-3

SERVICE CENTER	CALCULATED FEE STRUCTURE
S-032A USE PERMITS Conditional uses in non-residential & multi-family districts	Time and Materials. Full cost recovery, an initial deposit of \$1,000 is required. up to Maximum of \$4,000.
S-032B USE PERMITS Conditional uses in single family districts	\$375 flat fee
S-032C USE PERMITS Freestanding signs 6 feet or more in height; Planned Signage Programs for regional shopping centers	Time and Materials. Full cost recovery, an initial deposit of \$1,000 is required. up to Maximum of \$4,000.
S-032D USE PERMITS Small and large family day care home	\$50 flat fee
S-010C "S" ZONE (SITE AND ARCHITECTURAL REVIEW) APPLICATIONS New multi-family or nonresidential building/site development New Hillside homes Building Additions: <ul style="list-style-type: none"> - 25,000+ sq.ft - 10,000-25,000 sq. ft - 1,000 – 10,000 sq. ft. - less than 1,000 sq. ft. Major building or site modifications to existing development Minor building or site modifications to existing development Building signs, sign programs and freestanding signs under 6 feet in height	Time and Materials. Full cost recovery, an initial deposit of \$2,000 is required. up to Maximum of \$8,000. \$1050 flat fee Time and Materials. Full cost recovery, an initial deposit of \$2,000 is required. up to maximum of \$8,000. - \$1,050 flat fee - \$500 flat fee - \$250 flat fee Time and Materials. Full cost recovery, an initial deposit of \$2,000 is required. up to Maximum of \$8,000. \$250 flat fee \$250 flat fee

S-031 NEGATIVE DECLARATIONS (for non-billable applications without a PJ Account)	\$50.00 <u>flat fee</u>
S-010G MASTER PLAN	Time and Materials. <u>Full cost recovery, an initial deposit of \$2,000 is required. up to</u> Maximum of \$8,000.
S-010G DEVELOPMENT PLAN	Time and Materials. <u>Full cost recovery, an initial deposit of \$2,000 is required. up to</u> Maximum of \$8,000.

EXHIBIT A

EXHIBIT A

City of Milpitas		
Planning Application Fees		
(408) 942-5185	586-3279	www.ci.milpitas.ca.gov
Planning Division	455 E. Calaveras Boulevard	Milpitas CA 95035

REVISED ~~1997~~ 2006PJ = Private Job Account

Application Type	Approved Fee
General Plan Amendment	AF PJ: \$2,000 deposit, 4x max.
Zone Change	AF PJ: \$2,000 deposit, 4x max.
Zoning Ordinance Code Text Amendment	AF PJ: \$2,000 deposit, 4x max.
Planned Unit Development	AF PJ: \$2,000 deposit, 4x max.
Use Permits <ul style="list-style-type: none"> Conditional uses in non-residential & multi-family districts (except for family day care homes) Freestanding signs 6 feet or more in height; Planned Signage Programs for regional shopping centers Single-Family zoning district (conditional uses other than large family day care) Large family day care home in any residential district, or small and large family day care home at a residence in any non-residential, non-industrial district 	AF PJ: \$1,000 deposit, 4x max. AF PJ: \$1,000 deposit, 4x max. \$375 flat fee \$50 flat fee
Variances <ul style="list-style-type: none"> Non-residential & multi-family Single Family Signs 	AF PJ: \$1,000 deposit, 4x max. \$375 flat fee \$700 flat fee
S Zone Applications <ul style="list-style-type: none"> New multi-family or non-residential buildings/site developments New hillside homes Building additions <ul style="list-style-type: none"> -25,000+ sq. ft. -10,000-24,999 25,000 sq ft -1,000-9,999 10,000 sq ft 	AF PJ: \$2,000 deposit, 4x max. \$1050 flat fee AF PJ: \$2,000 deposit, 4x max. \$1,050 flat fee \$500 flat fee

<ul style="list-style-type: none"> - less than 1,000 sq ft • Major building or site modifications to existing development • Minor building or site modifications to existing development • Building signs, sign programs and freestanding signs under 6 feet in height 	<p>\$250 flat fee</p> <p>AF</p> <p>PJ: \$2,000 deposit, 4x max.</p> <p>\$250 flat fee</p> <p>\$250 flat fee</p>
Amendments/Modifications to Previous Approvals (except S Zone)	½ normal flat fee or ½ PJ account <u>initial</u> deposit (except for large or small family day care amendments which require the full fee)
Major or Minor Tentative Map	<p>AF</p> <p>PJ: \$2,000 deposit, 4x max.</p>
Negative Declaration for non- AF PJ applications	\$50.00
EIR	<p>AF</p> <p>PJ: \$2,000 deposit, 4x max.</p>
Development Agreement	<p>AF</p> <p>PJ: \$5,000 deposit, 4x max.</p>
Master Plan	<p>AF</p> <p>PJ: \$2,000 deposit, 4x max.</p>
Annexation	<p>AF</p> <p>PJ: \$2,000 deposit, 4x max.</p>
Planning Approval Time Extension	\$300 flat fee
Street Name Change	\$600 flat fee
Appeal	\$100
<u>Expedited Newspaper Legal Advertisement</u> (Published in Daily Newspaper) expedited (SJ Mercury)	\$225 per <u>placement advertisement</u>
Planning Research Fee <u>Zoning Verification Letter</u>	First 30 minutes free, \$40/hour afterward

About Private Job Accounts

1. Most planning and zoning applicants are required to open and maintain Private Job (PJ) Accounts during the course of their project.
2. The PJ account provides full cost recovery to the City. The cost for staff time is based on fully burdened hourly rates including overhead. Overhead includes clerical, other support employees, facilities and equipment.
3. Legal advertisements and outside consulting assistance are charged to the PJ at the true cost to the City.
4. PJ accounts are invoiced monthly.
5. The City will stop work on a project if a deficit is more than 30 days overdue.
6. After Planning Commission or City Council action, additional charges may be assessed to the PJ for construction plan check and public works inspections.
7. Incomplete planning application submittals that are inactive after 180 days of initial filing may be closed with unexpended PJ funds refunded.
8. Unexpended funds will be refunded to the account holder.

~~NOTES:~~

~~Agency Fund Accounts (AFA) are established with cumulative deposits for all applications requested. Charges to the account are based on the established "fully burdened" hourly rates for each employee working on the application. The fully burdened hourly rate includes City overhead for clerical and other support employees, facilities and equipment. Charges during the Planning application stage of a project may be made up to 4 times the initial deposit amount, with subsequent deposits required upon depletion of up to 80% of the deposit funds. Unexpended funds will be refunded. Additional charges (in excess of the 4x initial deposit) may be assessed to the AFA after Commission or Council action as part of the plan check process for construction permits. Public hearings will not be scheduled if account deficits exist.~~

~~Newspaper advertisement charges of \$50 per public hearing advertisement are assessed for all applications involving public hearings. This assumes advertisement in the Milpitas Post newspaper. For AFA projects, this charge will be deducted from the AFA as a vendor charge. The advertisement charge for non AFA projects is incorporated into the flat filing fee collected for those applications. Additional charges will be assessed for advertisements appearing in the San Jose Mercury News, if such advertisement is requested by the applicant.~~

~~Costs for consultants, if required, are in addition to AFA deposits.~~

~~Planning application submittals not complete within 180 days of initial filing may be closed, with all unexpended AFA funds refunded.~~